\* OF BALTIMORE COUNTY 3rd Election District 2nd Councilmanic District \* Case No. 89-329 A

Capital Homes, Inc. Petitioner

FINDINGS OF FACT AND CONCLUSIONS OF LAW

\* \* \* \* \* \* \* \* \* \* \*

The Petitioner herein requests a variance from Section 1802.2.8 and Section 504: CMDP.B.W. setback for rincipal building other than residential; Variance for a front yard setback of 25' in lieu of the required 50' setback; Section 400.1 Variance for an accessory structure (swimming pool and deck) in front and side yards, as more particularly described on Petitioner's Exhibit 1.

The Petitioner, Michael F. Clay, appeared and testified and was represented by Dennis Bodley, Esquire. The Petitioner was supported in his testimony by Ms. Marshal Lea and Mr. Tom Hewitt of D.S. Thaler Co. There were no Protestants.

The Petitioner testified that the subject site has been retained by the developer for use as a recreational area. The lot is small for the number and type of facilities that have been proposed for site. The development is being marketed with the recreation facilities located on this  $\overset{\bullet}{\mathbf{O}}$  Site. The witnesses described the problems they have with the site because of the unique size, shape and topography of the land. The witnesses all testified to the hardships and practical difficulties they have with developing the property.

> Baltimore County Zoning Commissioner Office of Planning & Zoning Towson, Maryland 21204 (301) 887-3353 J. Robert Haines Zoning Commissioner

> > March 23, 1989

Dennis Bodley, Esquire 2700 Legg Mason Tower 111 South Calvert Street Baltimore, Maryland 21202

> RE: Petition for Zoning Variance Case No. 89-329 A

Dear Mr. Bodley:

Enclosed please find the decision rendered in the above captioned case. The Petition for Zoning Variance has been granted, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

> Li Robert Haines
>
> J. Robert Haines Zoning Commissioner

Peop\_es Counsel Michael Clay, Capital Homes, 8986 Guilford Rd. Suite 290

Columbia, Md. 21046 Mr. Tom Hewitt, D.S. Thaler, 11 Warren Rd., Pikesville, Md. 21208 Ms. Marshal Lea, 9881 Broken Lane Parkway, Columbia, Md. 21046

Based upon the testimony and evidence presented at the hearing, all of which is uncontradicted, in the opinion of the Zoning Commissioner the relief requested sufficiently complies with the requirements of Section 307 of the B.C.Z.R. and, therefore, should be granted. There is no evidence in the record that the subject variance would adversely affect the health, safety and/or general welfare of the public. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioner.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 34 hay of Merch, 1989 that the request for a variance from Section 1802.2.B and Section 504: CMDP.B.W. setback for principal building other than residential; Variance for a front yard setback of 25' in lieu of the required 50' setback; Section 400.1 Variance for an accessory structure (swimming pool and deck) in the front and side yards, as more particularly described on Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restrictions:

> The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original

2. Compliance with the comments submitted by the Baltimore County Zoning Plans Advisory

PETITION FOR ZONING VALLANCE TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a 1802.2.B Other Principle Use (Zoning Code) Sec. 504: CMBPV.B.w Variance from Section 1502.2.5 Other than residential (Comprehensive Manual of Setback for Principle Building other than residential Development Policies): Variance for front yard setback of 25! in lieu of required 50' setback. Sec. 400.1 Accessory Buildings in Residential Zones (Zoning Code): Variance for accessory structure (swimming pool and deck) in front and side yards.

Variance for minimum distance between uses (swimming pool and tennic courts) of of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

Hardship and practical difficulty is due to an irregularly shaped site previously planned for recreation facilities without regard for topography (steep slopes), location of public utilities, and the inherent design standards of contemporary community recreation facilities.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and zre to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County,

Dariance County of the	I/We do solemnly under the penalties of are the legal owner(s which is the subject of	2) Of the binbearth	
Contract Purchaser:	Legal Owner(s):	MP MN 8D	
N/A (Type or Print Name)	Capital Homes, Inc (Type or Print Name)	s. D. 3	
N/A Signature	Signature	200	
N/A Address N/A	Michael F. Clay  Wee of Print Name  Multiple Control  Michael F. Clay	1060 47.	
City and State Attorney for Petitioner:	8965 Guilford Road	' L	j
Dennis Bodley (Type or Print Name)	Suite 290  Address  Columbia MD	720=5071 Phone No. 21046	
Signature 2700 Legg Mason Tower 111 South Calvert Street	City and State  Name, address and phone num tract purchaser or representa	nber of legal owner, con-	
Baltimore, MD City and State	Name same as above		1
Attorney's Telephone No.: 385-5264	100 CD 7000 CD 7010 CD	Phone No.	

ORDERED By The Zoning Commissioner of Baitimore County, this \_\_\_\_\_ 

Zoning Commissioner of Baltimore County.

Committee (ZAC), which are adopted in their entirety and made a part of this Order.

 When applying for a building permit, the site plan and landscaping plan filed must reference this case and set forth and address the restrictions of this Order.

4. Plans for the proposed project must be submitted for CRG approval prior to the issuance of any building permits.

All parking lot lighting shall be no more than 10 feet above-grade. All exterior lighting shall be directed downward and shall not defuse onto any residential property.

Upon request and reasonable notice, the Petitioner shall permit a representative of the Zoning Enforcement Division to make an inspection of the subject property to insure compliance with this Order.

 The Petitioner shall provide a landscape plan to the Office of Current Planning for approval by the Baltimore County Landscape Planner and said landscape plan shall then be submitted to the Zoning Commissioner for approval. The approved landscape plan shall become a permanent part of the record and file in this matter.

8. The Petitioner shall fence all non-street property lines of the subject site and the Petitioner shall also provide fencing in accordance with the following specifications:

a) Fabric Material -

 Vinyl coated steel chain link fabric in accordance with ASTMF - 668 - type 2B. 2) Steel core wire shall be galvanized in accordance with ASTM - 641 - 71A.

3) Color shall be a dark, earth tone. 4) The fabric type shall be: a) Standard industrial type;

b) 2" +/- 1/8"; c) 9 gauge

d) 0.148" core wire diameter e) 1,290 lbs. breakload

5) The fabric selvage shall be knuckled on the top and bottom.

#200

November 17, 1988

DESCRIPTION OF PARCEL "A" RECORDED IN SECTION 5 SUMMIT CHASE

Beginning for the same at a point in the south rightof-way of Green Summit Road, a 60 foot road, said point being distant 368.27 feet westerly, as measured along said right-of-way from the most southerly point of the southwest intersection of said right-of-way with the west right-ofway of Diana Road, a 60 foot road, and running the following five courses and distances to wit:

- South 02°42'10" East 261.62 feet to a point;
- South 87°17'50" West 17.89 feet to a point;
- South 62° 49'50" West 257.59 feet to a point;
- 4. North 37° 59'10" West 273.73 feet to a point intersecting the said south right-of-way of Green Summit Road, said point being distant 1,389.80 feet easterly, as measured along said right-ofway, from its intersection with the east rightof-way of Green Spring Avenue, an 80 foot road;
- 5. Binding along the said south right-of-way of Green Summit Road by a curve to the right having a radius of 1,045 feet and an arc lenght of 438.48 feet to the point of beginning.

Containing 2.2045 acres of land, more or less.



b) Post and Framing - All steel parts shall be hot-dipped galvanized as per ASTM, prior to vinyl coating. Thickness of vinyl coating shall be 10-14 mills applied by fusion bonding.

c) Slatting Specifications -

P.D.S. (Privacy Decorative Slatting) or equal. 0.951 density polyethylene hollow rectangular tube that fits snugly into the weave of chain link fabric. The melt index value is .35/.40 environmental stress crack resistance (ESCR). The low temperature brittle point is -76 degrees fahrenheit.

> Zoning Commissioner for Baltimore County

cc: Peoples Counsel Ms. Marsha Lea, 9881 Broken Lane Parkway, Columbia, Md. 21046 Mr. Tom Hewitt, D.S. Thaler, 11 Warren Road, Baltimore, Md. 21208 Mr. Michael Clay, Capital Homes, 8986 Guilford Road, Columbia, Md.

> CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY

Towsen, Maryl	and F9-329-A
District 3nd	Date of Posting 1- 31- 89
Posted for: Was some	***************************************
Petitioner: Papital Homes INC	
Location of property: SIS 14 July 1	monit Pord 4001511
of the Ell of Diana Port	
Location of Signs: St. side of Alemont.	Roal in front of sely and
property	7 0
Remarks:	
	Date of return: 2-10-69
Signature	pase the returnition
Number of Signer	

CERTIFICATE OF PUBLICATION

TOWSON, MD. February 3 ..... 1987 THIS IS TO CERTIFY, that the annexed advertisement was published in the OWINGS MILLS TIMES, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on February 2., 19.89.

> THE JEFFERSONIAN OWINGS MILLS TIMES,

PO 09600 neg M 25216

ca 893291 price \$86.07

Baltimore County Zoning Commissioner Office of Planning & Zoning Towson, Maryland 21204 J. Robert Haines

January 18, 1989

NOTICE OF HEARING



The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:

Petition for Zoning Variance CASE NUMBER: 89-329-A S/S Green Summmit, 400' 5W c/l Diana Road 3rd Election District - 2nd Councilmanic Petitioner(s): Capital Homes, Inc. Hearing Scheduled: Tuesday, February 21, 1989 at 9:30 a.m.

Variance from Section 1802.2.B Other Principle Use (Zoning Code) Sec. 504; CMBPV.B.w Setback for Principle Building other than residential (Comprehensive Manual of Development Policies); Variance for front yard setback of 25 ft. in lieu of the required 50 ft. setback. Sec. 400.1 Accessory Buildings in Residential Zones (Zoning Code).

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

J. ROBERT HAINES Zoning Commissioner of Baltimore County

cc: Capital Homes, Inc. Dennis Bodley, Esq. File

Zoning Commissioner Office of Planning & Zoning Towson, Maryland 21204 494-3353

Date: 2/6/89

Capital Homes, Inc. 8965 Guilford Road, Suite 290 Columbia, Maryland 21046

ATTN: MICHAEL F. CLAY

Re: Petition for Zoning Variance CASE NUMBER: 89-329-A 5/5 Green Summmit, 400' SW c/1 Diana Road 3rd Election District - 2nd Councilmanic Petitioner(s): Capital Homes, Inc. Hearing Scheduled: Tuesday, February 21, 1989 at 9:30 a.m.

Gentlemen:

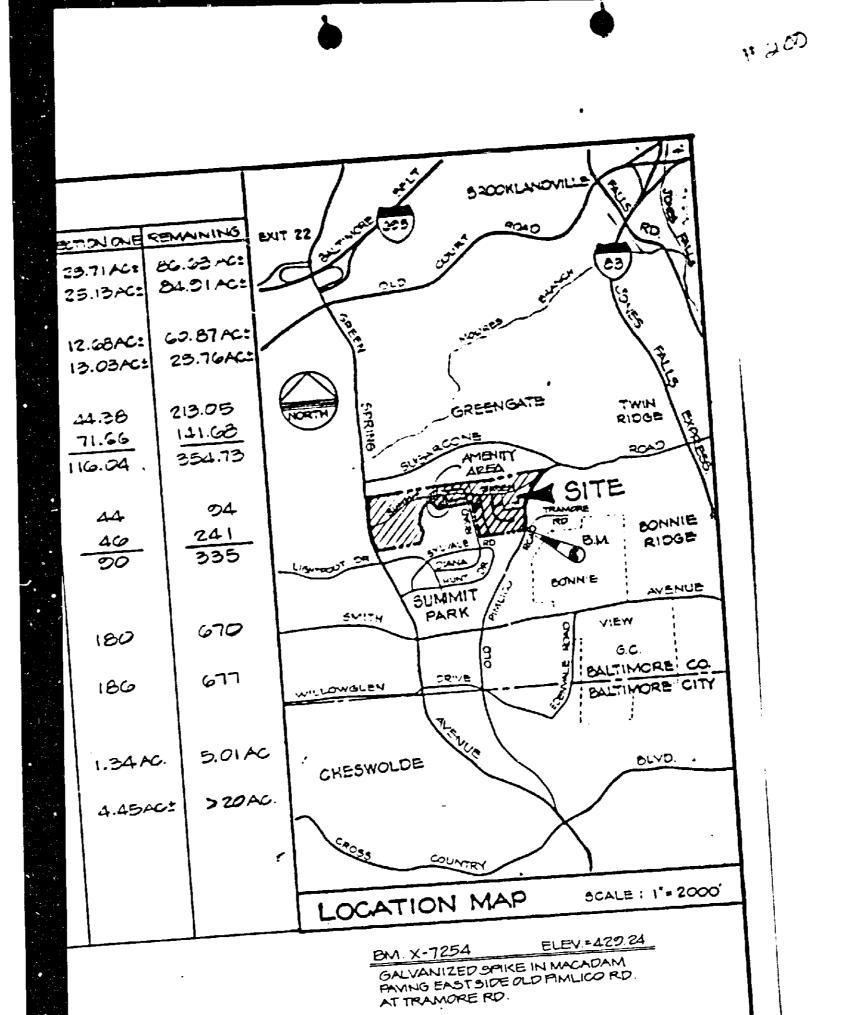
Please be advised that field is due for advertising and posting of the above-referenced property. All fees must be paid prior to the hearing. Do <u>not</u> remove the sign and post set(s) from the property from the time it is posted by this office until the day of the hearing itself.

THIS FEE MUST BE PAID AND THE ZONING SIGN(S) AND POST(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

Please make your check payable to Baltimore County, Maryland and bring it along with the sign(s) and post(s) to the Zoning Office, County Office Building, Room 111, Towson, Maryland 21204 fifteen (15) minutes before your hearing is scheduled to begin.

that chould you fail to return the sign and post set(s), there BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE - REVENUE DIVISION M SCELLANEOUS CASH RECEIPT R-11-615-000

6 BUILTON 101. 3: 8 9-1 \$29- A VALIDATION OR SIGNATURE OF CASHIER



## BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

J. Robert Haines Date February 13, 10-2

TO Zoning Commissioner Pat Keller, Deputy Director
FROM Office of Planning and Zoning

Zoning Petition Noc. 39-327-XA (Mt. Carmel Meth.); 39-329-A SUBJECT (Canital Homes); and 39-341-A (Kooko)

The Office of Flanning and Zoning has no comment on the above petitions.

PK/sf

89-329-A

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building 111 W. Chesapeake Avenue Towson, Maryland 21204

Your petition has been received and accepted for filing this \_\_\_\_\_\_day of \_\_\_\_\_\_\_\_, 1988.

J. Robert Haines
ZONING COMMISSIONER

Petitioner's

Petitioner Capital Homes, Inc. Dennis Bodley, Esquire

Received by: James E. Byer
Chairman, Zoning Plans Advisory Committee

## BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

February 6, 1989

COUNTY OFFICE BLDG. 111 W. Chesapeake Ave.

Burcau of Engineering Department of Traffic Engineering

State Roads Commissi Bureau of Fire Prevention Health Department Project Planning Building Departmen Board of Education Zoning Administration

Ind. strial

Dear Mr. Bodley:

Dennis Bodley, Esquire

111 South Calvert Street

2700 Legg Mason Tower

Baltimore, MD 21202

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

RE: Item No. 200, Case No. 89-329-A

Petitioner: Capital Homes, Inc.

Petition for Zoning Variance

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Chairman Zoning Plans Advisory Committee

Enclosures

cc: Mr. Michael F. Clay Capital Homes, Inc. 8965 Guilford Road Suite 290 Columbia, MD 21046

## BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Zoning Advisory Committee December 16, 1988

SUBJECT\_Zoning Request #200-88

Robert W. Bowling, P.E.

PROPERTY OWNER: Capital Homes, Inc. S/S of Green Summit, 400' SW the centerline of Diana Road

DISTRICT:

The Department of Public Works, Bureau of Public Services, has no objection to the 25' setback variance as requested pending conformance with the following comments:

The previous comments dated 4/16/84, 1/24/85 and 1/29/85 covering the Summit Chase subdivision are still valid but with the following addition:

GENERAL COMMENTS:

The State Department of the Environment Construction Permits for each private utility (water and sanitary sewer) totaling over 400 feet in length will be obtained through the Baltimore County Department of Public Works.

The Developer shall be responsible for damages to the County's facilities, such as water meters, manholes, curbs and gutters and inlets within his subdivision. Occupancy Permits will be withheld until such damages have been corrected.

HIGHWAY COMMENTS:

The entrance locations are subject to approval by the Bureau of Traffic Engineering.

Entrances shall be a minimum of 24 feet and a maximum of 35 feet wide, shall have 10-foot minimum radii curb returns, shall be located a minimum of 15 feet from any property line, and shall be constructed in accordance with Baltimore County Standards (Details R-32, 1977 Edition), as the Developer's total responsibility.

Prior to removal of any existing curb for entrances, the Developer shall obtain a permit from the Bureau of Public Services (494-3321 for commercial or 494-3363 for residential).

HIGHWAY COMMENTS: (Con't)

In accordance with Bill No. 32-72, street lights are required in all subdivisions. The Developer will be responsible for the full costs of installation of the cable, poles and fixtures. The County will assume the cost of the power after installation.

Ramps shall be provided for physically handicapped persons at all street intersections.

The Developer shall be responsible for construction stake-out of all highway improvements required in connection with this site and all stake-outs shall be in accordance with Baltimore County Standards.

STORM DRAINS AND SEDIMENT CONTROL COMMENTS:

The Developer is responsible for the total actual cost of drainage facilities required to carry the storm water run-off through the property to be developed to a suitable outfall. The Developer's cost responsibilities include the acquiring of easements and rights-of-way - both onsite and offsite - and the deeding in fee of said rights-of-way to the County. Preparation of all construction, rights-of-way and easement drawings, engineering and surveys, and payment of all actual construction costs including the County overhead both within and outside the development, are also the responsibilities of the Developer.

Onsite drainage facilities serving only areas within the site are considered private. Therefore, construction and maintenance shall be the Developer's responsibility. However, a drainage area map, scale 1" = 200', including all facilities and drainage areas involved, shall be shown on a plan and submitted to Baltimore County for review.

The Developer must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisances or damages to adjacent properties, especially by the concentration of surface waters. Correction of any problem which may result, due to improper grading or improper installation of drainage facilities, would be the full responsibility of the Developer.

Development of this property through stripping, grading and stabilization could result in a sediment pollution problem, damaging private and public holdings downstream of the property. A grading permit is, therefore, necessary for all grading, including the stripping of top soil.

In accordance with Baltimore County Council Grading, Sediment Control and Forest Management Ordinance (Bill No. 33-88), a grading plan shall be approved and a Performance Bond posted prior to issuance of a grading permit. A sediment control plan is required. The number of square feet of land disturbed shall be indicated on the sediment control drawing.

STOPM DRAINS AND SEDIMENT CONTROL COMMENTS: (Con'L)

The Developer shall be responsible to stabilize the sidewark areas and supporting slopes on all road rights-of-way following completion of the initial grading of the boxed-out subgrade. The stabilization shall be accomplished within the nearest period of optimum seeding as established in the Baltimore County Sediment Control Manual. Minimum acceptable stabilization measures will be as specified in the Baltimore County Sediment Control Manual under "Critical Area Stabilization (With Semi-Permanent Seedings)".

Failure by the Developer to accomplish the stabilization as aforementioned will result in the termination of all processing phases of this development.

Sediment control provisions will be required for the building permit application and for any grading involved.

WATER AND SANITARY SEWER COMMENTS:

Permission to obtain a metered connection from the existing main may be obtained from the Department of Permits and Licenses.

Permission to connect to, or (to connect additional sanitary fixtures to) the existing public sanitary sewer may be obtained from the Department of Permits and Licenses.

Water mains outside of public rights-of-way serving a proposed site improvement are considered private and shall be the Developer's full responsibility for construction and maintenance.

The Developer is entirely responsible for the construction, and the cost of the construction and maintenance, of his onsite private sanitary sewerage, which must conform with the Baltimore County Plumbing Code.

Fire hydrant spacing and location are subject to review and approval by the Fire Protection Section of the Fire Department.

This property is subject to Water and/or Sewer System Connection Charges based on the size of water meters utilized in accordance with current County Policy.

Developers Engineering Division

RWB:ROP:pab

GREENSUM/TXTMEMO7

CPS-008

Baltimore County Department of Public Works Bureau of Traffic Engineering Courts Building, Suite 405 Towson, Maryland 21204 (301) 887-3554

January 17, 1989

Dennis F. Rasmussen

Mr. J. Robert Haines Zoning Commissioner County Office Building Towson, Maryland 21204

Dear Mr. Haines: The Bureau of Traffic Engineering has no comments for item numbers 35, 200, 215, 232, 233, 234, and 235.

Traffic Engineer Associate I

	BALTIMORE	COUNTY, MARYLAND
INTERO	FFICE	CORRESPONDENCE

TO: Zoning Advisory Committee DATE: January 24, 1989 FROM: Robert W. Bowling, P.E.

RE: Meeting of December 13, 1988

The Developers Engineering Division has reviewed the zoning items for the subject meeting. We have no comments for Items 35- 232, 234 and 235.

Attached are our comments for Items 200 and 215.

ROBERT W. BOWLING, P.E. Chief Develorers Engineering Division

RWB:s

111 2011

	49-329A
LEASE PRINT CLEARLY PETITIONER(S)	SIGN-IN SHEET
Dennis Brolle, Marsha Lea Tou Hewitt Michael Clay	ADDRESS  III S. Colvert St. Ste 27cc. Belt  1881 Broken Land Parkway  P.S. THALEE  II WARREN ROMO ZIZOB MO  Capital Homes 87d Cabinhia  MD.

BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT Zoning Commissioner Office of Planning and Zoning County Office Building Zoning Item # 200, Zoning Advisory Committee Meeting of December 121777 Property Owner: Capital Homes, Inc.

Location: 5to of Green Summit, 450' SW of the centerline of Districe 3 Sewage Disposal metro ( Prior to approval of a Building Permit for construction, removation and/or installation of equipment · COMMENTS ARE AS FOLLOWS: for any existing or proposed food service facility, complete plans and specifications must be for any existing or proposed rood service ractility, complete plans and specifications must result and appearance of sections and specifications must result and the submitted to the Plans Review Section, Bureau of Regional Community Services, for final leview

) Prior to new installation/s of fuel burning equipment, the owner shall contact the Dureau of Air , rrior to new installetion/e or luck ourning equipment, the owner shall contact the Lucesu of Air Quality Management, 494-3775, to obtain requirements for such installation/s before work begins. ( ) A permit to construct from the Bureau of Air Quality Management is required for such items as spray paint processes, underground gasoline storage tank/s (5,000 gallons or note) and any other equipment or process which exhausts into the atmosphere. ( ) A permit to construct from the Bureau of Air Quality Management is required for any charbroiler

operation which has a total cooking surface area of five (5) aquare feet or more. ( ) Prior to approval of a Building Fermit Application for renovations to existing or construction of new health care facilities, complete plans and specifications of the building, food service or new nearth care racifities, complete plans and specifications of the building, rood service area and type of equipment to be used for the food service operation must be submitted to the area and type or equipment to be used for the rood service operation must be adomitted to the Plans Review and Approval Section, Division of Engineering and Maintenance, State Department of

Frior to any new construction or substantial alteration of public swimming pool, wading pool, bathhouse, saunas, whirlpools, hot tubs, water and sewerage facilities or other appurtenences bathhouse, saunas, whirlpools, hot tubs, water and sewerage facilities or other appurtenences. Health end Kental Hygiene for review and approval. paranouse, saunas, wairipools, not tubs, water and sewerage racilities or other appurtenences pertaining to health and safety; two (2) copies of plans and specifications must be submitted pertaining to nealth and sarety; two (2) copies or plans and specifications most be additione to the Baltimore County Department of Environmental Protection and Resource Management for review to the maitimore county Department of Environmental Protection and Resource Management let leview and approval. For more complete information, contact the Recreational Hygiene Section, Bureau

( ) Frior to approval for a nursery school, owner or applicant must comply with all Baltimore County regulations. For more complete information, contact the Division of Maternal and Child Health. ) If lubrication work and oil changes are performed at this location, the method providing for the elimination of waste oil must be in accordance with the State Department of the Environment. ( ) Prior to razing of existing structure/s, petitioner must contact the Division of Waste Management , rrior to razing or existing structure/s, petitioner must contact the pivis on or waste inmagement at 494-3768, regarding removal and/or disposal of potentially hazardous materials and ablid wastes. at 434-3/00, regarding removal anc/or disposal or potentially nazardous materials and avaid wastes. Petitioner must contact the Bureau of Air Quality Management regarding removal of asbestos, 494-3775. ( ) Any abandoned underground atorage tanks containing gasoline, waste oil, solvents, etc., must have , any abandoned underground atorage tanks containing gasoline, waste oil, solvents, etc., must have the contents removed by a licensed hauler and tank removed from the property or properly backfilled. Prior to removal or abandonment, owner must contact the Division of Waste Management at 494-3768. ( ) Soil percolation tests, have been \_\_\_\_, must be \_\_\_\_, conducted.

) The results are valid until \_\_\_\_\_\_, wast be \_\_\_\_\_, considered.

) Soil percolation test results have expired. Fatitioner should contact the Division of Water and Sewer to determine whether additional tests are required. ( ) Where water wells are to be used as a source of water supply, a well meeting the minimum Baltimore County Standards must be drilled.

( ) In accordance with Section 13-117 of the Baltimore County Code, the water well yield test ( ) shall be valid until
( ) is not acceptable and must be retested. This must be accomplished prior to conveyance of property and approval of Building Permit Applications.

( ) Prior to occupancy approval, the potability of the water supply must be verified by collection ) If submission of plans to the County Review Group is required, a Hydrogeological Study and an of bacteriological and chemical water samples. Environmental Effects Report must be submitted.

OF WATER QUALITY AND RESOURCE MANAGEMENT

CIDC

9-12-88-3 (MK) #200

Richard T Burns AIA

Dennis R Jankiewicz AiA

Elmina J Mayberry ASLA

Edward C Kohls ArA

Scott A Grice AIA

Mr. James Dyer, Zoning Supervisor Baltimore County Office of Planning & Zoning Room 113 111 West Chesapeake Avenue Towson, MD 21204

RE: Summit Chase Amenity Area CDC Project Number 130-88A

Dear Mr. Dyer:

September 7, 1988

We are currently designing a community amenity area for the Summit thase townhouse and single family home development near Green Spring Avenue in Baltimore County. The amenity area will include a Spring Avenue in Baltimore County. The amenity area will include a swimming pool, community building with shower/locker rooms and a community meeting room, two tennis courts, a play area and community meeting area will be located on its own lot within parking. The amenity area will be located on its own lot within the subdivision and will be operated by the Summit Chase the subdivision and will be operated by the facilities will be Homeowners' Association. The use of the facilities will be restricted to residents of the development. Please note that the name of the development as it appears on the approved CRG plans is Summit Green.

As I explained in our telephone conversation on August 25, we would like to verify the classification and setback requirements would like to verify the classification and secoack requirements for the community building. We would also like to be made aware of any setback requirements for the swimming pool, tennis courts and wood and canvas shade shelters (please refer to the enclosed preliminary site plan).

We would appreciate your review of the enclosed plan and your we would appreciate your review of the enclosed plan and your written response to the setback requirements. Please contact Marsha Lea of this office or me at your earliest convenience.

Enclosure

CC: Michael Clay, Capital Homes Tom Hewitt, DS Thayler & Associates

Raltimore County Fire Department Towson, Maryland 21204-2386 494-4500

Paul H. Reincke

December 29, 1988

J. Robert Haines, Zoning Commissioner Office of Planning & Zoning Baltimore County Office Building Towson, Maryland 21204

Pe: Property Owner: Capital Homes, Inc.

Location: S/S Green Summit, 400' SW of c/l of Diane Road

Zoning Agenda: Meeting of 12/13/88 Item No.: 200

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

( ) 1. Fire hydrants for the referenced property are required and shall be located at intervals or \_\_\_\_ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.

( ) 2. A second means of vehicle access is required for the site.

( ) 3. The vehicle dead end condition shown at EXCEEDS the maximum allowed by the Fire Department.

( ) 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

( ) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code," 1976 edition prior to occupancy.

( ) 6. Site plans are approved, as drawn.

(x) 7. The Fire Prevention Bureau has no comments at this time.

REVIEWER: 17 100 11 Kelly 13-74-18 APPROVED:
Planning Group Fire Prevention Bureau Special Inspection Division

/j1

Baltimore County Zoning Commissioner Office of Planning & Zoning Towson, Maryland 21204 (301) 887-3353 C. Robert Haines

May 12, 1989



Ms. Marsha Lea, ASLA Director of Landscape Architect Columbia Design Collective Architects, Planners and Landscape Architects 9881 Broken Land Parkway Suite 200

Columbia, Maryland 21046

Capital Homes/Summit Chase Community Center CDC Project No. 130-88A Zoning Case #89-329A

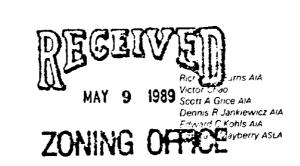
Dear Ms. Lea:

I am in receipt of your letter of May 5, 1989 and the accompanying plan. I have reviewed the plan and decided that it complies with the restrictions concerning landscaping, buffering and fencing, as set forth in my March 24, 1989 Order. The landscaping and fencing proposed on the plan marked, Petitioner's Exhibit A, will be accepted as a substitute for Restriction Nos. 7 & 8 in the matter of Case #89-329A.

If you have any further questions concerning this matter, please feel free to contact me.

> Pery truly yours, N. Robert Haines ✓ Zoning Commissioner

cc: Mr. Tom Hewitt, D.S. Thaler, 11 Warren Road, Baltimore, Md. 21208 Mr. Michael Clay, Capital Homes, 8986 Guilford Road, Columbia,



89-329A

May 5, 1989

Mr. Robert Haines Baltimore County 111 W. Chesapeake Avenue Towson, MD 21204

> RE: Carital Homes/Summit Chase Community Center CDC Project No. 130-88A Zoning

Dear Mr. Haines:

Zoning Examiner

Thank you for taking the time to meet with Michael Clay, Tom Hewitt, and me to discuss the condition set forth in the decision to grant the variances for the Community Center at Summit Chase.

We understand that the intent of the condition was to screen/buffer the recreational uses from the adjacent residential properties. We believe the solution we discussed in our meeting will achieve the desired buffer. We propose to install a 6' high board-on-board fence along the east property line, starting twenty feet from the R.O.W. line of Green Summit Road and ending at the end of the townhouse row. The remainder of the three sides of the property, abutting HOA open space or the adjacent school will be heavily landscaped.

We have reviewed your requirements and our proposed plant selections and locations with Avery Harden in the Department of Current Planning. We have enclosed a print of the plan that was sent to Mr. Harden for his review. I spoke with Mr. Harden on May 2, 1989, and he gave his approval of the buffer planting plan as

Coumbia Design Colective Architects Planners Landscape Architects Geer Broken Land Parkway Chumbia Mark and 21046 Earth (N. 36+65) i wasinington €218118.

Mr. Robert Haines Zoning Examiner Baltimore County RE: CDC Project 130-88A May 5, 1989 Page Two

Thanks again for your time. Please do not hesitate to call if you have any further questions. Sincerely,

Marsha Lea, ASLA Director of Landscape Architecture

MS/ct

Enclosure

cc: Mr. Michael Clay, Capital Homes Mr. Tom Hewitt, D. S. Thayler Mr. Avery Harden, Baltimore County Current Planning

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CAPITAL HOMES
SUMMITT Chase

RECREATION AREA PRELIMINARY SITE PLAN

CILLINGIA TEOLON MULEOTRES, INC.
FRUSOT NICE 121-57 CONFRE 15-51

TATE: 11111 13, 1325

